



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,776	03/26/2004	Toshikazu Sakurai	FP04-033US	9615
1218	7590	03/16/2005	EXAMINER	
CASELLA & HESPOS 274 MADISON AVENUE NEW YORK, NY 10016			LUEBKE, RENEE S	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/810,776

Applicant(s)

SAKURAI & FUKATSU

Examiner

Renee S. Luebke

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 8-11 is/are rejected.
- 7) ☒ Claim(s) 5-7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/26/04</u> . | 6) <input type="checkbox"/> Other: ____ |

Art Unit: 2833

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. Claims 1-11 are objected to because of the following informalities:

- The meaning of “for covering . . . from outer sides” in the last section of claim 1 is unclear. What is meant by “outer sides”?

- On line 3 of claim 3, it appears that the second occurrence of “and” should be deleted.

- Claim 7 is indefinite since it attempts to make a comparison with an inclination of a feature, the inclination of a portion of the side plates, that is not defined.

- On line 3 of claim 8, it appears that the first instance of “position” should be changed to -positioned-.

- On the last line of claim 11, it appears that -of- should be added after “movement.”

Appropriate corrections are required.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 8, 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Jinno. This connector comprises a housing A for a terminal

fitting k, and a retainer B with a locking section 10 and side plates 14. The housing further comprises protecting portions 6, 8. In regard to claim 8, the location shown in Fig. 2 is a "position different from the proper mount position" that allows confirmation of the terminal fitting state. Further, locking means 5, 12a are provided for holding the retainer at a different position as required by claim 10. In regard to claim 11, the edges of the side plates and the upper and lower internal walls of frame 8 are seen to form guiding means.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jinno. The use of thinned sections in molded plastics for the purpose of easing the flexing thereof is well known. To do so on the side plates of Jinno is seen to have been an obvious alternative, taking advantage of this well known structure.

6. Claims 1-4, 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Nebeshima, et al. This connector comprises a housing 1 for a terminal fitting 11, and a retainer 5 with a locking section and side plates. The housing further comprises protecting portions (formed by the recessed step adjacent wall 7. Holding means (21, 27, 24) are provided on the side plates and the outer surface of the housing for holding the retainer at the proper mount position. Further, the side plates are resiliently deformable to move from the position shown in Fig. 4A to that shown in Fig. 4B. In regard to claim 11, the edges of the side plates and the internal walls adjacent walls 7 are seen to form guiding means.

7. Claims 5-7 would be allowable if rewritten to overcome the objections set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Art Unit: 2833

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fujita and Sakurai, et al. show connectors with retainers that are similar to the present invention.

9. Any response to this action may be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to:

(703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10. Any inquiry concerning this communication from the examiner should be directed to Mrs. Renee Luebke whose telephone number is (571) 272-2009.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Paula Bradley, can be reached at (571) 272-2800, extension 33.



Renee S. Luebke
Primary Patent Examiner
March 9, 2005